

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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INTESA SANPAOLO S.p.A.,

08 Cv. 2223 (LLS)

Plaintiff,

-against-

ROBERT D. PILIERO, EDWARD J.  
GOLDSTEIN, and JOHN DERMOTT  
MITCHELL,

Defendants.

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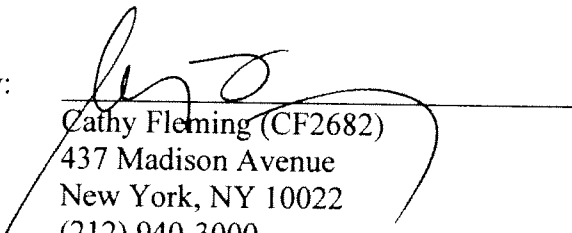
**NOTICE OF VOLUNTARY  
DISMISSAL OF CROSSCLAIM  
AGAINST DEFENDANTS  
ROBERT D. PILIERO AND  
EDWARD J. GOLDSTEIN**

PLEASE TAKE NOTICE that, pursuant to the Federal Rules of Civil Procedure Rule 41(a)(1)(A)(i) and 41(c), defendant John Dermott Mitchell, by and through his attorneys, Nixon Peabody LLP, hereby voluntarily dismisses his crossclaim without prejudice as to Defendants Robert D. Piliero and Edward J. Goldstein.

Dated: May 14, 2008

NIXON PEABODY LLP

By:



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